IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 2926 of 2002

05.08.2005

Between:

Joseph Thambi Convent, rep. by its Superior, Sister Arogyam Udumula

..... PETITIONER

AND

Principal Secretary, Municipal Administration,
Government of Andhra Pradesh, Secretariat,
Hyderabad & others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION No. 2926 of 2002

O R D E R:

This writ petition is filed to declare the action of the respondents 3 and 4 in demolishing the “IDOL OF INFANT JESUS” situated in Sy.No.363/A, at Kuda Kuda village, Chivemla Mandal, Nalgonda District, as illegal and arbitrary and consequently, to direct the respondents 1 and 2 to take necessary action against respondents 3 and 5.

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

When the matter came up for hearing, it is brought to the notice of this Court

that the petitioner has availed the alternative remedy by way of approaching the Civil Court through I.A.No.102 of 2002 in O.S.No.14 of 2002 and obtained interim injunction. The petitioner cannot be permitted to prosecute two parallel remedies for the very same cause of action. Hence, the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

_____

05.08.2005

usd